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December 27, 2024

Via ECF

Honorable Victoria Reznik, U.S.M.J.
United States District Court
Southern District of New York
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: Marjorie Quinn v. Walmart Inc.
Case No.: 24-cv-0248

Dear Judge Reznik:

This firm represents Defendant Walmart Inc. ("Walmart") in the above-referenced matter. We write, jointly with counsel for Plaintiff Marjorie Quinn ("Ms. Quinn") in accordance with your Honor's December 19, 2024 Order [ECF No. 26] to provide you with an update on the discovery dispute raised in our December 5th and December 10th letters [ECF Nos. 23, and 25].

We also seek an adjournment of the status conference scheduled for January 3, 2025 until on or after **Monday, January 13, 2025**.

Counsel for the parties met and conferred via telephone on December 19, 2024 for approximately 20 minutes and came to a resolution. Walmart disagrees with Ms. Quinn's position that it is not entitled to HIPAA releases to seek medical records directly from her providers. However, Walmart will withdraw its request for a pre-motion conference so long as Ms. Quinn produces the following outstanding items, no later than January 10, 2025:

1. Copies of the requests for medical records Ms. Quinn or her counsel sent to her health care providers to obtain documents responsive to Walmart's discovery requests;
2. Psychiatric notes from the provider(s) who Ms. Quinn received treatment from between January 1, 2015 and October 21, 2021, which Ms. Quinn's counsel represented his office requested earlier this month;

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3. Records from the hospital where Ms. Quinn was treated after losing consciousness at work, as alleged in her Complaint, which Ms. Quinn's counsel represented his office requested earlier this month;
4. Confirmation that counsel has not withheld any records relevant to Ms. Quinn's claims; and
5. A privilege log indicating any and all documents that were withheld on the basis of the physician-patient (or any other) privilege.

In light of the upcoming holidays, we respectfully request that your Honor adjourn the conference scheduled for January 3, 2025 until on or after **Monday, January 13, 2025**, to provide Ms. Quinn's counsel time to collect, review, and produce the items outlined above, and to provide counsel for Walmart an opportunity to review same for completeness.

We thank the Court for its ongoing attention to this matter.

Sincerely,



Phillip C. Bauknight

For FISHER & PHILLIPS LLP

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cc: All Counsel of Record (via ECF)

The parties' request to adjourn the conference is **GRANTED**. In lieu of rescheduling the conference, the parties are directed to file a new joint status letter by no later than **January 13, 2025**. The letter should update the Court on the status of this dispute, the progress the parties have made in discovery, and what still remains. The Clerk of Court is respectfully directed to close the gavel associated with ECF No. 27.

SO ORDERED.



Hon. Victoria Reznik, U.S.M.J.

Dated: 12-27-24